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QA/EC 11/15/00 - betty

OGC HAS REVIEWED.

OGC 8-1288 a

1 August 1958

MEMORANDUM FOR: Executive Secretary, CIA Career Council

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SUBJECT: Coordination of [REDACTED] The Career Staff of the
Central Intelligence Agency

1. This Office concurs in the proposed revision of subject regulation.

2. The following comments may be of assistance, however.

(a) On page 1, paragraph 2.c. the word "prerequisite" has been inadvertently misspelled.

(b) It is felt that on page 3, paragraph 3.e. may be as effectively and more simply stated as follows:

"e. An individual who is re-employed by CIA must serve a three-year provisional period beginning with date of re-employment before becoming eligible to apply for membership in the Career Staff unless the prior resignation was (a) at the instigation of CIA to gain employment elsewhere for cover purposes, education, or for additional experience if the reasons were made a matter of record at the time of resignation; or (b) was to enable the individual to accompany spouse to new duty station, if the spouse is an employee of the Agency. Effective dates of membership in such cases will be based on service under all appointments."

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[REDACTED]
Assistant General Counsel

cc: Regulations Control Staff

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17 July 1958

MEMORANDUM FOR: Chief, I & R

Assistant to DD/I (Admin)

Executive Assistant to DD/S — 7 Aug 58

General Counsel — 1 Aug 58

Chief, Management Staff — 6 Aug 58

SUBJECT:

Coordination of [REDACTED] The Career Staff of the
Central Intelligence Agency

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1. The CIA Career Council approved at its meeting on 15 May 1958 certain changes in policy and procedures relating to the CIA Career Staff, and requested that [REDACTED] be revised to incorporate these changes and additions. In the attached draft of [REDACTED] (revised) the changes are indicated by slash marks and additions are underscored.

2. The Council requested that the revised version of this regulation be processed in accordance with the rules established by the Council at its 34th meeting on 8 November 1956.

3. In brief, these procedures for processing regulatory issuances are:

Addressees will review and concur or comment. The concurrences or comments should be sent to the undersigned within three weeks from date and will be made available to the Career Council at its next meeting after that date. If the Council approves the text of the issuance, it will be held in abeyance for one week following the Council meeting. If no member of the Council requests further action during that week, the issuance will be published forthwith.

4. It would be appreciated if your concurrences or comments on the attached revised version of [REDACTED] be made available to the undersigned prior to COB Thursday, 7 August 1958.

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[REDACTED]
Executive Secretary
CIA Career Council

Distribution:

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4-DD/S

S-E-C-R-E-T

THE CAREER STAFF
OF THE
CENTRAL INTELLIGENCE AGENCY

Rescissions: (1) [REDACTED] dated 6 December 1955, Revised 10 July 1957
(2) [REDACTED] 2 dated 15 October 1954

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1. GENERAL

The Career Staff of the Central Intelligence Agency was established effective 1 July 1954. This regulation prescribes policies, responsibilities and procedures with respect to the Career Staff. Membership in the Career Staff will be limited to United States citizen Staff Employees and Staff Agents who are eligible for consideration and are accepted for membership in accordance with the provisions of this regulation.

2. DEFINITIONS

a. THE CAREER STAFF

A group of carefully selected and trained individuals who accept an obligation to devote themselves to the needs of the Agency, and who intend to make a career with the Agency.

b. TRIAL PERIOD

The first year of service in CIA, as defined in section I of [REDACTED]

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c. PROVISIONAL PERIOD

Three years' active service in CIA which is a prerequisite to consideration for membership in the Career Staff.

d. ACTIVE SERVICE

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For the purpose of 2c above, active service need not be continuous, and

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will include any of the periods defined or qualified in paragraph 3 below.

3. CREDITABLE SERVICE

a. Generally, active service will include any of the following periods:

- (1) Time on duty, under one or more appointments as a Staff Employee or Staff Agent, on or after 18 September 1947, the official date of the establishment of the Central Intelligence Agency.
- (2) Absence on leave with pay.
- (3) Continuous absence on leave without pay which does not exceed 30 successive calendar days, except that absence on leave without pay for Agency-approved external training will be fully counted.

b. Active service, for the purpose of 2c above, may include other service not to exceed two years in the Agency in a civilian or military status, when detailed to the Agency, provided:

- (1) Such service was performed on detail under military orders or on official civilian detail from another Government agency, and
- (2) Such service was in a capacity essentially similar to that to which the detailed individual was subsequently assigned as a Staff Employee or Staff Agent, and
- (3) In no case will such service be credited until one full year has been served as a Staff Employee or Staff Agent and the employee has passed the one-year trial period.

c. Military service of a Staff Employee or Staff Agent who has been restored to civilian employment with CIA after military duty will be counted.

d. Service which includes the following categories, career agent, contract employee, contract agent, field agent, consultant, and other types of associations can be credited, when requested by the Head of the appropriate

Career Service, to a Staff Employee or Staff Agent toward the required

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three-year provisional period only after review and decision by the CIA Selection Board in each individual case.

- e. An individual who is re-employed by CIA must serve another three-year provisional period before becoming eligible to apply for membership in the Career Staff if his prior resignation was not in the "best interests of CIA." "Best interests of CIA" is defined to include (a) resignation at the instigation of CIA to gain employment elsewhere for cover purposes, education, or for additional experience if the reasons were made a matter of record at the time of resignation; and (b) resignation to accompany spouse to new duty station, if the spouse is an employee of the Agency. Effective dates of membership in such cases will include service under all appointments.

4. POLICY

- a. The Career Staff of the Central Intelligence Agency will consist of personnel selected from among Staff Employees and Staff Agents. Personnel selected for membership will be afforded, within the framework of applicable laws, preferential consideration for job security and special training as well as other benefits and facilities now or hereafter provided for members of the Career Staff. Those individuals selected for membership in the Career Staff will be designated as Career Employees.
- b. Personnel who are accepted for membership in the Career Staff will have the obligation to serve anywhere and at any time and for any kind of duty as determined by the needs of CIA and they are assured that, in order to carry out this policy, full consideration will be given to their particular capabilities, interests, and personal circumstances.

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- c. The relationship between an individual member of the Career Staff and the Agency is one of good faith on the part of each--a determination on the part of the individual to serve faithfully and understand the Agency's needs and a determination on the part of the Agency to act objectively and humanely in furthering the careers of its members. All employees who personally desire and intend to make a career with CIA can make application for membership in the Career Staff in good conscience even though personal circumstances or family responsibilities might limit their freedom to serve in some assignments.
- d. The selection process will encompass the evaluation and development of each Staff Employee and Staff Agent during his provisional period. In this manner, the individual's capabilities and deficiencies will be evaluated in order to determine his suitability for selection into the Career Staff. The selection process will include these stages of employee evaluation and development:
- (1) A review and determination of each individual's suitability, in accordance with [REDACTED] for continued Agency employment prior to the expiration of the trial period.
 - (2) The preparation of Fitness Reports, as required by [REDACTED]
 - (3) A review, based on the selection criteria of job performance, personal conduct, and evidence of intent to fulfill the obligations of Career Service, after the individual concerned gains eligibility for consideration by completing the provisional period. In evaluating an employee's suitability for membership in the Career Staff, it may be more difficult to determine his suitability if he has not been within the purview of CIA for a considerable period immediately prior to the time he applies for membership.

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- (4) The provision of continuing instruction and developmental guidance and assistance to each individual throughout the provisional period, in order that he may demonstrate his suitability for membership in the Career Staff or eliminate or satisfactorily resolve any deficiencies.
- e. Consideration for selection into the Career Staff will be based upon formal application by personnel who have completed the provisional period. Those who fail to make application or whose applications are not accepted will continue to possess the benefits accorded by law to employees of the United States Government.
- f. After consideration for selection into the Career Staff, one of the following types of action will be taken for each applicant:
- (1) Acceptance in the Career Staff (Type A);
 - (2) Action deferred (Type B); or
 - (3) Acceptance into the Career Staff denied (Type C).
- g. If an individual applies for membership in the Career Staff and is not accepted, he will be informed of the reasons for the rejection or deferment and he will be given assistance and guidance in order to correct or to eliminate the causes of his rejection or deferment so that he may have an opportunity to demonstrate his suitability for membership in the Career Staff. In such cases, the Selection Board may entertain an appeal by the individual, at his initiative, to appear before the Board or, at its discretion, an Examining Panel to reconsider the case.
- h. The Director of Personnel will be responsible for giving preferential consideration for re-employment to those women who were members of the Career Staff and who had to resign staff employment in order to accompany a CIA spouse to a new duty station. These individuals will not only be

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given preferential consideration for vacancies within their former Career Service, but also for any Agency vacancy for which they are qualified.

5. ORGANIZATION OF THE CIA SELECTION BOARD AND PANEL OF EXAMINERS

a. CIA SELECTION BOARD

(1) The CIA Selection Board is established and will consist of seven voting members or their alternates including the Director of Personnel who will act as permanent Chairman. A quorum of the Board shall consist of four present voting members or their alternates. The Director of Central Intelligence will appoint two voting members and two alternates each from the Offices of the Deputy Directors (Plans), (Intelligence), and (Support). These appointments will be made for one fiscal year in each case. Individuals appointed to the Board may be reappointed, however, at the expiration of their period of service. In the event that the Director of Personnel is temporarily unable to serve as Chairman, he will designate an acting chairman from among the members or alternates to serve in his place.

(2) The CIA Selection Board will be provided a Secretariat consisting of an Executive Director and such other administrative and clerical personnel as are required by the Board. The Executive Director will be selected by and function under the direction of the Director of Personnel.

b. PANEL OF EXAMINERS

A Panel of Examiners is established and will consist of members of the Career Staff, GS-14 and above.

(1) Each of the Career Services in the Agency will have generally proportional representation on the Panel based on the personnel strength of the Career

Services and their anticipated workloads as of the beginning of each fiscal year, except that at least one member will be named to the Panel from each Career Service.

- (2) Members of the Panel of Examiners will be appointed by the Director of Central Intelligence. He will give due consideration to those nominated by the Heads of Career Services after the Director has received the recommendations of the CIA Selection Board.

c. EXAMINING PANELS

Examining Panels convened pursuant to this regulation will consist of at least three examiners selected by the Executive Director. Examiners will be chosen in a manner that will be appropriately representative of Agency interests. The Executive Director or his designee will serve as nonvoting chairman on each Examining Panel.

6. RESPONSIBILITIES

a. DIRECTOR OF PERSONNEL

The Director of Personnel is responsible for directing the selection program herein established and will ensure that the program is administered in accordance with personnel policies of the Agency. He will recommend to the Director of Central Intelligence such additional policies and procedures as he may consider necessary. The Director of Personnel is responsible for notifying employees when they complete their provisional period and thus become eligible to apply for selection into the Career Staff.

b. CIA SELECTION BOARD

The CIA Selection Board is responsible for formulating appropriate criteria for selection into the Career Staff; discharging the responsibilities and activities assigned to it by this regulation and entertaining appeals by individuals.

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c. EXAMINING PANELS

Subject to the direction of the CIA Selection Board, Examining Panels are responsible for performing the activities assigned to them as specified in this regulation.

d. SUPERVISORS

- (1) Supervisors are responsible for completing Fitness Reports on employees under their immediate jurisdiction and for recommending that such employees either be retained in Agency employment or be separated from CIA before the expiration of their trial period. They are also responsible for recommending the acceptance or rejection of such employees for membership in the Career Staff when the provisional period has been completed.
- (2) Supervisors at all levels are responsible for assisting and instructing employees under their jurisdiction to eliminate any general weaknesses or specific deficiencies in performance detected during their trial period. They are also responsible for assisting employees who have completed their trial period to overcome any inadequacies that might prevent their eventual selection into the Career Staff.

e. HEADS OF THE CAREER SERVICES

Head of Career Services are responsible for reviewing the recommendations of supervisors specified in paragraph 6d(1) above and then forwarding their own recommendations to the Executive Director of the CIA Selection Board for further review and action as herein described.

7. PROCEDURES

a. PROCESSING OF APPLICATIONS FOR MEMBERSHIP IN THE CAREER STAFF

- (1) An official notification of an employee's eligibility to apply for membership will be forwarded by the Director of Personnel to the individual.

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concerned 90 days prior to date of eligibility.

- (2) The application will be submitted by the individual through official channels to the Head of the Career Service concerned. Supervisors in the channel will add their comments as appropriate.
- (3) The effective date of membership in the Career Staff will be as prescribed by the CIA Selection Board and normally will be the date on which an individual signed his application or the date of eligibility, whichever date is later. Effective dates of membership in the Career Staff for those individuals whose applications had previously been deferred or denied, will normally be the date on which the Selection Board accepts the individual's application for membership in the Career Staff.
- (4) If the signed application has not been received by the CIA Selection Board within 90 days of date of eligibility, it will be assumed that the employee does not wish to apply for membership in the Career Staff. Official Agency records will be documented to this effect.
- (5) Failure to apply for membership in the Career Staff when notified of eligibility does not invalidate an individual's right to make future application.
- (6) An individual who is departing for overseas may sign his application prior to his departure from headquarters if he has completed his trial period.
- (7) Suitability of Staff Employees and Staff Agents for membership in the Career Staff will be determined as follows:
 - (a) The Head of the Career Service concerned will review the application and obtain the comments of the appropriate Career Board or Panel if such comments are desired. He will forward the application to the

Executive Director of the CIA Selection Board together with his recommendation within 90 days of the date of signature by the applicant. Upon receipt of the application, the Executive Director will ensure that eligibility requirements have been met, will assemble all available documentation pertinent to the case, and will convene an Examining Panel to consider the application.

- (b) In all cases, the Examining Panel will base its recommendations to the CIA Selection Board on all pertinent information concerning the employee, which is professionally appropriate and operationally secure, including information furnished by the Office of Personnel, Office of Security, Office of Training, Medical Staff, Office of the Comptroller, the Inspector General, Inspection and Review Staff, and the organizational component and Career Service having jurisdiction over the individual. If necessary, the Panel may request further information from the offices concerned. The Examining Panel may interview the individual and, if desired, his supervisor or other Agency employees.
- (c) If an Examining Panel considers that information available to it on a particular case appears to be inconsistent with the recommendation of the Head of the Career Service concerned or might not have been available to him when his original recommendation was made, the Executive Director of the CIA Selection Board will forward the Finding of the Examining Panel to him on an EYES ONLY basis 30 days in advance of the proposed Selection Board meeting. This will enable the Head of the Career Service to reconsider his original recommendation in the light of any new information and to modify it if he so
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forward the Finding and the comments of the Head of the Career Service directly to the CIA Selection Board for action. ~~without further review by an Examining Panel.~~ If the Head of the Career Service has not replied within 30 days, it will be assumed he is in agreement with the Finding of the Examining Panel and the Finding will be submitted to the CIA Selection Board for action.

- (d) If the individual is overseas at the time he becomes eligible for membership in the Career Staff, and if an interview by the Examining Panel is felt necessary, the consequent decision on the acceptance of his application for membership in the Career Staff may be deferred until he is physically available in headquarters.
- (e) The Examining Panel will recommend to the CIA Selection Board that the employee be selected into the Career Staff, that his case be deferred, or that his selection be disapproved.
- (f) The CIA Selection Board on behalf of the Director of Central Intelligence will take formal action on the recommendation of the Examining Panel.
- (g) When the finding of the CIA Selection Board is in disagreement with that of the Head of the Career Service, this fact shall be reported to him. He may either accept the Board's decision or refer the case, within ten workdays, to the Director of Central Intelligence for final decision.
- (h) The Chairman of the CIA Selection Board will officially notify the individual of its finding by ~~classified memorandum~~. The individual will acknowledge receipt on the memorandum of action of the CIA Selection Board. It will then be forwarded through the Head of the Career Service to the Executive Director of the CIA Selection

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Board. The acknowledged memorandum, together with the individual's application, will then be placed in his Official Personnel Folder.

b. SEPARATION FROM THE CAREER STAFF

- (1) If an individual's employment as a Career Employee is terminated, his membership in the Career Staff is automatically canceled. If he is subsequently reemployed, he must reapply for membership in order to become a member of the Career Staff and a determination will be made following the procedures contained in this regulation.
- (2) If an individual elects to resign from membership in the Career Staff but wishes to retain his status as a Staff Employee or Staff Agent of CIA, he will so notify the CIA Selection Board in writing through the Head of his Career Service and will state the reasons for his request. The Board will take formal action on the request for resignation from the Career Staff and will notify the member of its finding in writing.
- (3) Recommendations for the removal of an individual from the Career Staff must be submitted to the CIA Selection Board through the Head of the appropriate Career Service who will review the recommendation and submit his comments. No recommendation for removal will be considered by the Board until it has been reviewed by the Head of the Career Service concerned.
- (4) Subject only to the recommendation of disapproval by the Director of Security, the CIA Selection Board will ensure that each individual, whose removal from the Career Staff has been recommended, will be offered the opportunity of being interviewed by the Board, or at its discretion, by the Examining Panel.

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- (5) Separation of an individual from the Agency will be governed by applicable Agency regulations.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

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